

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

ADAM KANUSZEWSKI, et al.,

Plaintiffs,

vs.

Case No. 1:18-cv-10472

Honorable Thomas L Ludington

MICHIGAN DEPARTMENT OF HEALTH AND
HUMAN SERVICES, et al.,

Defendants.

**ORDER DENYING AS MOOT MOTIONS TO DISMISS AS PLAINTIFF
FILED FIRST AMENDED COMPLAINT**

On April 30, 2018, Plaintiff filed their first amended complaint, ECF No. 26, per Fed. Rules of Civil Procedure 15(a)(1)(B) in response to both Defendant Michigan Neonatal Biobank, Inc. and Antonio Yancey's motion to dismiss, ECF No. 15, and Mary Kleyn, Sarah Lyon-Callo, Nick Lyons, Michigan Department of health and Human Services and Sandip Shah's Motion to Dismiss, ECF No. 21. As a result of the filing of the first amended complaint, both motions to dismiss will be denied as moot.

Accordingly, it is **ORDERED** that Defendants' motions to dismiss, ECF No. 15 and 21 are **DENIED AS MOOT**.

It is further **ORDERED** that the hearing scheduled for July 25, 2018 is
CANCELED.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: June 1, 2018

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on June 1, 2018.

s/Kelly Winslow
KELLY WINSLOW, Case Manager